

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MEOSHA STUCKEY

PLAINTIFF

v.

CIVIL ACTION NO. 4:16-CV-186-DMB-JMV

CLARKSDALE MUNICIPAL SCHOOL DISTRICT

DEFENDANT

COMPLAINT
JURY TRIAL DEMANDED

COMES NOW the Plaintiff, Meosha Stuckey, by and through counsel, Watson & Norris, PLLC, and files this action to recover damages for violations of her rights under the First Amendment. In support of this cause, the Plaintiff would show unto the Court the following facts to-wit:

THE PARTIES

1. Plaintiff, Meosha Stuckey, is an adult female resident of Coahoma County, Mississippi, with an address of P. O. Box 815, Clarksdale, MS 38614.
2. Defendant, Clarksdale Municipal School District, is a Mississippi entity, and may be served through the Superintendent of Schools, Dennis J. Dupree, Sr., 101 McGuire Street, Clarksdale, MS 38614.

JURISDICTION AND VENUE

3. This Court has federal question jurisdiction and venue is proper in this court.

STATEMENT OF FACTS

4. Plaintiff was a 6th grade science teacher at Defendant school district since 2010. She was last employed as a 5th grade science at Oakhurst Intermediate School in Clarksdale, Mississippi.

5. During the 2013-2014 school year, some staff members, not Plaintiff, contacted the *Clarion Ledger* newspaper and made allegations that the elementary school in Heidelberg had possibly participated in a cheating scandal the year before. Plaintiff now taught those students.

6. When the school superintendent found out about the newspaper article, he held an emergency meeting for the entire school staff at Oakhurst and announced that everyone he thought was involved in speaking with the press would be fired.

7. Plaintiff assumed she had nothing to fear because she had not said anything to the press.

8. The next school year, 2014-2015, Oakhurst hired a new principal, and he began harassing Plaintiff from the beginning.

9. That May, there were only two 5th grade science teachers, Plaintiff and another teacher.

10. Fifth grade science is a subject which is tested by the State Department of Education. Plaintiff knew her students were ready for the state test in May 2015. Her administrator had made comments to her that her students' pre-testing scores were on par with the students of the other 5th grade science teacher.

11. During the state administered testing, Plaintiff's high-performing, honor

students were pulled from the testing computers and not allowed to complete their tests; however, the other science teacher's students were allowed to complete their test. When Plaintiff emailed the principal about this, he became angry and began harassing her even more.

12. Not allowing students to complete their tests is a Mississippi State Testing violation and adversely affects a teacher in that if students perform poorly on standardized tests, it is grounds for a teacher to be fired.

13. Plaintiff returned to her teaching position for the 2015-2016 school year even though the principal continued to harass her.

14. In December 2016, Plaintiff's son was hit in the head by a stray bullet.

15. Plaintiff's principal encouraged her to take FMLA leave for the next semester, stating that he and several other staff members would donate days to her so that she could continue to be paid. However, when her FMLA days ran out and she was not fully paid, she learned that that he had not allowed any days to be donated to her.

16. When Plaintiff confronted the principal about this in May 2016, he said, "Let me check on it." When she still had not been paid in June, Plaintiff went to the Superintendent of Education, but he took up for the principal. Plaintiff's FMLA leave information was deleted from the school records in order to cover up the principal's lie to Plaintiff about donating time for her FMLA.

17. All of this was done in retaliation by the Defendant school district because it was falsely assumed by the Defendant that Plaintiff had spoken to the *Clarion Ledger*

about an alleged cheating scandal in the school district.

18. Plaintiff has been adversely affected by her students' poor testing scores caused by their not being allowed to complete their tests in that this affects Plaintiff's ability to find future employment.

CAUSES OF ACTION

COUNT 1 – VIOLATION OF FIRST AMENDMENT – RETALIATION

19. Plaintiff re-alleges and incorporates all averments set forth in paragraphs 1 through 18 above as if fully incorporated herein.

20. Plaintiff was harassed and retaliated against in that her students were not allowed to complete the state standardized tests while the other 5th grade science teacher's students were allowed to complete the standardized tests.

21. Plaintiff was harassed and retaliated against because Defendant falsely believed Plaintiff had participated in providing adverse information about the school district to the *Clarion Ledger*.

22. Plaintiff has been harmed as a result of this retaliation, and the Defendant is liable to Plaintiff for the same.

23. The acts of the Defendant constitute a willful intentional violation of the First Amendment through 42 U.S.C. §1983 and entitle Plaintiff to recovery of damages.

PRAYER FOR RELIEF

WHEREFORE PREMISES CONSIDERED, Plaintiff respectfully prays that upon hearing of this matter by a jury, the Plaintiff be granted the following relief in an amount to be determined by the jury:

1. Back wages and reinstatement; or
2. Future wages in lieu of reinstatement;
3. Compensatory damages;
4. Attorney's fees;
5. Costs and expenses; and
6. Such further relief as is deemed just and proper.

THIS the 13th day of September 2016.

Respectfully submitted,

MEOSHA STUCKEY, PLAINTIFF

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